

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
CIVIL MINUTES**

Case Title : Jason Ward Conley and Doreen Jo Conley **Case No :** 09-35001 – A – 7

Date : 8/17/09
Time : 9:00

Matter : [6] – Order to Show Cause – Failure to File Documents as Transmitted to BNC for Service Re: Statement of Social Security Number . Hearing to be held on 8/17/2009 at 09:00 AM at Sacramento Courtroom 28, Department A. (smis) UNOPPOSED

Judge : Michael S. McManus
Courtroom Deputy : Sarah Head
Reporter : Diamond Reporters
Department : A

APPEARANCES for :
Movant(s) :
Respondent(s) :
None

ORDER TO SHOW CAUSE was :
Case dismissed
See final ruling below.

The court will issue a minute order.

Final Ruling: The petition will be dismissed.

The debtors did not file a statement of social security number, either with the petition or within 15 days of its filing, as required by Fed. R. Bankr. P. 1007(f). The trustee takes the debtor's social security number from this statement and includes it on the notice of the commencement of the case that is served on all creditors. Creditors frequently need the social security number to identify the debtor. Thus, the quality of notice may be substantially reduced and perhaps nullified by the absence of the social security number. See Ellett v. Goldberg (In re Ellett), 317 B.R. 134 (Bankr. E.D. Cal. 2004), affirmed 328 B.R. 205 (E.D. Cal. 2005), affirmed 506 F.3d 774 (9th Cir. 2007). As a result, the failure to file the Statement of Social Security Number may be cause for dismissal. See 11 U.S.C. § 707(a)(1). While the debtors in this case belatedly filed the statement on July 29, this was not in time to include the social security number on the notice of the commencement of the case. It was served on or about July 30. Thus, the late filing caused prejudice to creditors.